

IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

BELLSOUTH TELECOMMUNICATIONS, INC. )  
d/b/a AT&T Tennessee, )

Plaintiff, )

v. )

The TENNESSEE REGULATORY AUTHORITY; )  
EDDIE ROBERSON, in his official capacity as )  
Chairman of the Tennessee Regulatory Authority; )  
SARA KYLE, in her official capacity as Director )  
of the Tennessee Regulatory Authority; and )  
RON JONES, in his official capacity as Director )  
of the Tennessee Regulatory Authority, )

Defendants. )

No. 3:08-0059  
JUDGE HAYNES

*ORDER*  
*This motion*  
*is granted*  
*for 4-11-08 at 2:00 p.m.*  
*with*  
*hso*  
*2-3-08*

**PLAINTIFF'S CONSENT MOTION TO EXEMPT CASE FROM CASE**  
**MANAGEMENT OR IN THE ALTERNATIVE TO RESCHEDULE CASE**  
**MANAGEMENT CONFERENCE**

Plaintiff BellSouth Telecommunications, Inc., d/b/a AT&T Tennessee ("AT&T"), pursuant to Local Rule 16.01(b)(2)(d), respectfully moves the Court to exempt this action from customized case management under Rule 16.01 of the Local Rules of Court. In this action, AT&T challenges an Order of the Tennessee Regulatory Authority ("TRA") issued under the Telecommunications Act of 1996. *See* 47 U.S.C. § 252(e)(6) (authorizing a party aggrieved by a state commission order under the Act to bring an action in federal court); *Verizon Md. Inc. v. Public Service Comm'n*, 535 U.S. 635, 643 (2002) (authorizing federal-court action under 28 U.S.C. § 1331 even if section 252(e)(6) does not apply). The parties agree that the factual record in this proceeding should be limited to the record established before the TRA. *Cf. Bell Atlantic-Delaware, Inc. v. Global NAPs South, Inc.*, 77 F. Supp. 2d 492, 502 (D. Del. 1999); *US West*